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7 *Attorneys for GOOGLE LLC*

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

10
11 GOOGLE LLC,

12 Plaintiff,

13 vs.

14 SONOS INC,

15 Defendant.

Case No. 3:20-cv-06754-WHA

**GOOGLE'S NOTICE OF DEPOSITION
TESTIMONY AND SONOS'S *INTER*
PARTES REVIEW PATENT OWNER
RESPONSE IN SUPPORT OF GOOGLE'S
PATENT SHOWDOWN SUMMARY
JUDGMENT POSITIONS**

1 Google LLC (“Google”) respectfully notifies the Court that it deposed Keith Corbin, a
2 former Sonos, Inc. (“Sonos”) employee, on May 31, 2022 and June 1, 2022; Robert Lambourne, a
3 current Sonos employee, on June 6, 2022; and Nick Millington, a current Sonos employee, on June
4 29, 2022. Testimony from Mr. Corbin, Mr. Lambourne, and Mr. Millington is relevant to Google’s
5 summary judgment positions regarding claim 13 of U.S. Patent No. 9,967,615 and claim 1 of U.S.
6 Patent No. 10,848,885. Excerpts from the transcripts of Mr. Corbin, Mr. Lambourne, and Mr.
7 Millington’s depositions are attached as Exhibits 1-3, respectively.

8 Google also respectfully notifies the Court that on July 11, 2022, Sonos filed its Patent
9 Owner Response to Google’s Petition for *Inter Partes* Review (“IPR”) of U.S. Patent No. 9,967,615
10 (“Response”) in IPR Case No. IPR2021-01563 before the Patent Trial and Appeal Board. Excerpts
11 from Sonos’s Response are attached as Exhibit 4.

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13 DATED: July 11, 2022

Respectfully submitted,

14 QUINN EMANUEL URQUHART &
15 SULLIVAN, LLP

16 By /s/ Charles K. Verhoeven
17 CHARLES K. VERHOEVEN

18 *Attorneys for Google LLC*
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EXHIBIT 1
FILED UNDER SEAL

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EXHIBIT 2
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EXHIBIT 3
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EXHIBIT 4Sonos's Patent Owner Response to Petition for *Inter Partes* Review of U.S. Patent No. 9,967,615

- Pgs. 23-24: In contrast, a POSA would have understood that just any “storage area” of a device for storing a “playlist” is not equivalent to the device’s “playback queue.” *Id.*, ¶82. Rather, a “playlist” is simply a collection of multimedia that could be stored in a “storage area” of a device and ***could be***, at some point in time, set for playback (it ***could be added*** to a “playback queue”). *Id.* However, a device with a stored “playlist” must be caused to add the “playlist” to a “playback queue,” thereby designating the contents of the “playlist” for playback. *Id.* In other words, a “playlist” standing alone, even when stored on a device, says nothing about what the device will actually playback. *Id.*
- Pg. 25: Unlike a “playback queue,” a “playlist” is simply a collection of multimedia and must be set in some fashion for a device to play it before playback actually occurs. Ex.2018, ¶88. In other words, the mere storage of a “playlist” in a device is insufficient to amount to the device’s “playback queue.” *Id.* In fact, the ‘615 Patent discloses functionality of a “local playback controller” that allows a user to identify a playlist of multimedia items and cause a “playback device” to queue the playlist for playback. *Supra* §III. In this regard, the ‘615 Patent demonstrates to a POSA that a “playback queue” is different than a “playlist,” as a “playlist” generally must be added to a “playback queue” to set it for playback. Ex.2018, ¶88.
- Pg. 48: In this regard, Google asserts that an “IPAN cloud server” adding an “updated playlist” to “the storage space” of a “network-enabled audio device” satisfies limitation 1-f. Petition, 30-32. However, an “IPAN cloud server” merely ***adding an “updated playlist” to “the storage space”*** of a “network-enabled audio device” does not amount to “one or more first cloud servers ***adding, to the local playback queue***, one or more resource locators,” as required by limitation 1-f. Ex.2018, ¶197. In fact, as explained before, a POSA would have understood that a “playlist” ***merely*** stored in a “storage area” of a device is different than a device’s “playback queue.” *Supra* §V.B; Ex.2018, ¶198.

CERTIFICATE OF SERVICE

The undersigned certifies that on July 11, 2022, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system.

DATED: July 11, 2022

/s/ Charles K. Verhoeven

Charles K. Verhoeven